

**Town of Woodstock
Board of Selectmen
Regular Meeting
Thursday, October 1, 2015
4:00 PM – Room A**

PRESENT: D. Mitchell Eaffy, Chandler Paquette, Allan D. Walker, Jr.

OTHERS PRESENT: Everett Cowley, Joni Cullan, Ed Higgins, Paul Oleszewski, Charles Rosenfield, Bet Zimmerman Smith, James Trowbridge, Kevin Withers

1. Call to Order

First Selectman Walker called the meeting to order at 4:00 p.m.

Paquette moved to add as item 4a) Consider the Resignation of Anthony Perreault from the Camp Nahaco Park Commission effective October 1, 2015. **Motion carried unanimously.**

2. Approve the Minutes of August 31, 2015 and September 14, 2015 Special Board of Selectmen Meetings

Eaffy moved to approve the minutes of the August 31, 2015 and September 14, 2015 Special Board of Selectmen Meetings. **Motion carried unanimously.**

3. Consider the Appointment of Richard Canavan as a Full Member of the WPCA for the Term of October 1, 2015 through June 19, 2020

Paquette moved to appoint Richard Canavan as a Full Member of the WPCA for the term of October 1, 2015 through June 19, 2020. **Motion carried unanimously.**

4. Consider the Appointment of Paul Oleszewski as a Full Member of the Camp Nahaco Park Commission for the Term of October 1, 2015 through June 30, 2016

Eaffy moved to appoint Paul Oleszewski as a Full Member of the Camp Nahaco Park Commission effective October 1, 2015 through June 30, 2016. The Selectmen expressed their appreciation of his willingness to volunteer his time on the Commission. **Motion carried unanimously.**

4a. Consider the Resignation of Anthony Perreault from the Camp Nahaco Park Commission effective October 1, 2015

Paquette moved to accept the resignation of Anthony Perreault from the Camp Nahaco Park Commission effective October 1, 2015. **Motion carried unanimously.**

5. Open Bids Received for the Public Works Department Auction Items

Eaffy moved to table items 5 and 6 until later in the meeting. **Motion carried unanimously.**

6. Consider Going Out to Bid on Aggregate Items at the Public Works Department (Stone, Processed Gravel, Rip Rap and Winter Sand)

This item was tabled until later in the meeting (see Item 5).

7. Discussion and Possible Action Regarding a Request to Release Certain Conservation Easements and Rights of Way of the Charles Rosenfield Subdivision on Rocky Hill Road as recommended and approved by Woodstock Planning and Zoning Commission

First Selectman Walker asked Attorney Higgins to review what is being requested of the Selectmen regarding this matter.

Attorney Higgins stated that the land was approved by the Planning and Zoning Commission as a subdivision some time ago. In that subdivision a roadway area was deeded to the town in addition to a conservation easement. A purchase agreement was reached this summer between Bet Zimmerman Smith and Mr. Rosenfield for Mrs. Smith to purchase from Mr. Rosenfield a piece land which will then be placed in a trust to Wyndham Land Trust. They are asking the Selectmen to consider approving a quitclaim deed of the roadway and conservation easement back to Mr. Rosenfield who will then finalize the sale of the land to Mrs. Smith. If the Selectmen approve it, it will be necessary to follow the process to release and convey the land back to the owner by scheduling a Town meeting and asking the Conservation Commission, Board of Finance and Planning and Zoning Commission to review. Attorney Higgins indicated that he will prepare the deeds for the Town Attorney to review.

Paquette moved to schedule a Town Meeting to release and convey the town road and conservation easement back to the owner and send a request to the required commissions to review and report back before December 1, 2015. **Motion carried unanimously.**

Charles Rosenfield asked the Selectmen to consider waiving the taxes on the property between October 1, 2015 and when the land is acquired by the tax exempt organization and to tax it as if it were in PA490, not as building lots as it is currently.

Eaffy moved to waive the regular tax rate on said lots from October 1, 2015 through when acquired by the purchaser and to be taxed on the PA490 rate dependent on the language of a formal resolution written by the Town Attorney. **Motion carried unanimously.**

8. Consider Resolution Authorizing Lease-Purchase Agreement with School Lines, Inc. for a 77 Passenger School Bus

Paquette moved to approve the following resolution authorizing the lease-purchase agreement with School Lines, Inc. for a 77 Passenger School Bus. **Motion carried unanimously.**

TOWN OF WOODSTOCK
RESOLUTION AND DECLARATION OF OFFICIAL INTENT
PURCHASE OF ONE 2016 77 PASSENGER SCHOOL BUS

WHEREAS, the Town of Woodstock is a political subdivision of the State of Connecticut (the "State") and is duly organized and existing pursuant to the constitution and laws of the State.

WHEREAS, pursuant to applicable law, after approval of the Annual Town Budget by the Woodstock Town Meeting, the Board of Selectmen of the Town of Woodstock ("Governing Body") is authorized to acquire personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding \$90,000 ("Principal Amount") for the purposes of acquiring one 2016 77 passenger school bus described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

WHEREAS, School Lines, Inc. ("Lessor") is expected to act as the Lessor under the Equipment Leases.

NOW, THEREFORE, Be it Resolved by the Governing Body of the Lessee:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

Section 2. The Lessee was authorized in the 2015-2016 Annual Town Budget to acquire the Property and was authorized to finance the Project by entering into the Equipment Leases not to exceed the principal amount of \$90,000.00 with a first year payment not to exceed \$30,500, including interest. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. The First Selectman acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presented to the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the Lessee laws of the State of Connecticut.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose permitted under the laws governing the Lessee.

Section 8. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 9. As to each Equipment Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the calendar year in which each such Equipment Lease is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code").

Section 10. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 11. This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this 1st day of October, 2015.

The undersigned First Selectman of the Town of Woodstock hereby certifies and attests that (i) the undersigned has access to the official records of the Governing Body of the Lessee, (ii) the foregoing resolution was duly adopted by the favorable vote of all the members of the Board of Selectmen of the Lessee at a special meeting of said Governing Body duly called, regularly convened and attended throughout by the requisite quorum of the members thereof, (iii) such resolutions have not been amended or altered and are in full force and effect on the date stated below and (iv) such meeting of the Board of Selectmen relating to the authorization and delivery of the Equipment Lease has been (a) held within the geographic boundaries of the Lessee; (b) open to the public, allowing all people to attend (c) conducted in accordance with internal procedures of the Governing Body and (d) conducted in accordance with the laws of the State of Connecticut.

/s/ Allan D. Walker, Jr.
/s/ Chandler L. Paquette
/s/ D. Mitchell Eaffy

Attest: /s/ Town Clerk

John Navarro joined the meeting.

5. Open Bids Received for the Public Works Department Auction Items

The Selectmen opened the three bids that were received.

Jon White placed a bid of \$50 for the leaf blower.

Norampac Cascades of Thompson, CT placed two bids: One for the 2000 Sterling L-7500 dump truck with a plow push frame and hydraulic controls in the amount of \$4,100 and one for the Viking power angle snow plow in the amount of \$700.

Paquette moved to award Norampac Cascades the truck and plow in the amount of \$4,800. **Motion carried unanimously.**

Paquette moved to award Jon White the leaf blower in the amount of \$50. **Motion carried unanimously.**

6. Consider Going Out to Bid on Aggregate Items at the Public Works Department (Stone, Processed Gravel, Rip Rap and Winter Sand)

John Navarro reported that in previous years these items have gone out to bid individually. He suggested doing an aggregate bid to allow him to get the best rates and allow him the flexibility if a company doesn't have an item to use another company who bid on the same item.

Eaffy moved to approve sending out an aggregate bid for stone, processed gravel, rip rap and winter sand. **Motion carried unanimously.**

Attorney Higgins asked the Selectmen to add an item to the agenda regarding Town-owned land at the Woodstock Central Cemetery and he distributed documentation that he brought with him.

Eaffy moved to add an item to the agenda regarding Town-owned land at the Woodstock Central Cemetery. **Motion carried unanimously.**

Attorney Higgins reported that there is Town-owned land consisting of four cemetery plots at the Woodstock Central Cemetery. The Woodstock Central Cemetery Association, Inc. would like to know if the Town would be willing to quitclaim these four plots to them. He reminded the Selectmen that if they are willing to do this, it would be necessary to follow the process to release and convey the land by asking the Conservation Commission, Board of Finance and Planning and Zoning Commission to review it and it would require approval at a Town Meeting. **Eaffy moved** to schedule a Town Meeting and to request the appropriate boards and commissions to review the Town-owned land consisting of four cemetery plots for conveyance to the Woodstock Central Cemetery Association, Inc. **Motion carried unanimously.**

9. Tax Rebates

Paquette moved to approve the following tax rebates:

- John Barnes in the amount of \$59.97
- VW Credit Leasing LTD in the amount of \$54.08
- David Lawrence Murphy in the amount of \$98.86
- JP Morgan Chase Bank NA in the amount of \$203.04
- Nissan Infinity LT in the amount of \$164.04
- Robert Wolak in the amount of \$32.24
- USB Leasing LT in the amount of \$416.41
- Vault Trust in the amount of \$307.51

Motion carried unanimously.

10. Correspondence and Announcements

None.

11. Citizen's Comments

Kevin Withers stated that a woman was reporting on WINY Radio that the Prop 46 signs have been going missing and she also said that the town has paid for them. The Selectmen indicated that they do not pay for signs.

12. Adjournment

Paquette moved to adjourn at 4:46 p.m. **Motion carried unanimously.**

Respectfully submitted,
Joni Cullan, Recording Clerk